

William Broughton

GEORGIA

ON Washington's Birthday, 1900, the City Recorder of Atlanta, Nash R. Broyles, received a letter which he considered so obscene that he immediately turned it over to the Federal authorities. The letter reflected most pointedly upon Mr. Broyles's moral character and was signed "Grant Jackson."

There lived in Atlanta a negro, Grant Jackson by name, and he was known to the City Recorder. On February 23 he was arrested. On February 24 his "partner," William Broughton, was picked up while on his way to visit Jackson's mother.

Broughton was arrested because, as two policemen explained conveniently, whatever mischief involved Grant Jackson must of necessity involve Broughton, so close was their friendship in the eyes of the authorities. Other than this the police had no reason for arresting Broughton. Both he and Jackson denied writing the letter, or having any knowledge of it whatever.

As a result of this makeshift method of crime detection, the case against Jackson collapsed when it was discovered that he was unable to write, but the police were equal to the occasion and proceeded on the theory that Broughton must have been the author, as it was shown that on at least one occasion he had served as voluntary amanuensis for his friend in composing a bit of personal correspondence.

To demonstrate that Broughton could write, the police persuaded him to write a note to his mother, asking her to send him some clothing at the jail. This stratagem gave the authorities a sample of Broughton's handwriting to compare with the Broyles letter. The chirography, they concluded quickly, was the same in both. Broughton's indictment followed as a matter of course.

At the trial Broyles not only appeared as a witness but qualified as a handwriting expert by saying that a number of cases involving handwriting had come before him when he was United States Commissioner in Atlanta. Thus

equipped, he was able to inform the jury that there were incriminating and unmistakable similarities between the writing in the letter he had received and the note Broughton sent to his mother.

If there were similarities it was undeniable that there were also dissimilarities. This, however, did not stump the prosecution. Broyles testified that they could be explained by the fact that the defendant was a "very sharp, intelligent negro and he knew what he was arrested for and he was trying to disguise his handwriting" when he wrote the note to his mother.

Broyles's expert testimony was supported by that of two other witnesses who were likewise accepted by the court as experts—one because he had had long experience in bank work and the other because he was traveling auditor for the Standard Oil Company. They saw the similarities but were unable to corroborate Broyles's characterization of the defendant, as they did not enjoy his acquaintance. The City Recorder had the advantage in this respect, for he had sent both Jackson and Broughton to jail at various times for a variety of misdemeanors.

Broughton testified in his own defense and denied knowledge of the letter until told of it by the police and said frankly that he held no grudge against Broyles for his frequent commitments to jail.

The experts prevailed and the jury found Broughton guilty, the court sentencing him to five years in prison, a fine of \$500, plus costs of prosecution, which, it may be added, were considerable by comparison with Broughton's visible resources.

.

BROUGHTON had not been long removed from the scene when, much to Recorder Broyles's consternation, he received a letter from one Charley Mitchell, mailed at Birmingham, Alabama. Broyles knew Mitchell to be an Atlanta negro. Mitchell, curiously enough, wished to inquire about the Broughton case, saying he numbered the unfortunate convict among his friends. He also informed the astonished

Broyles that another friend of his, a woman—Becky Lou Johnson—was the author of the obscene letter.

This all seemed very strange to Recorder Broyles. Presently a second letter arrived from Mitchell and moved Broyles to act. It appeared to him that the similarity in handwriting that convicted Broughton was as nothing compared to the likeness between the chirography in the obscene letter and in Mitchell's letters.

It began to appear that the wrong man had been sent to prison, so Broyles wrote to Mitchell, saying he was very much interested in Becky Lou's alleged part in the case and would like to discuss it with Mitchell—would he please come back to Atlanta for a conference with the City Recorder?

It appears that this gesture filled the unsuspecting Mitchell with a feeling of considerable importance and inflated his ego to such an extent that he walked quickly into the trap Broyles had set, and admitted that he—not Becky Lou nor Broughton—was the author of the troublesome letter. And it seemed that twenty cents was at the bottom of the whole case. He and Jackson had had an argument over the twenty cents—a loan—and a scarfpin. The argument was not settled to Charley's satisfaction and he threatened to even the score with Jackson, which he did by signing the letter with Jackson's name, he, too, erring in the matter of Jackson's illiteracy.

Subsequently he was indicted, tried, and found guilty. He was sentenced to five years and costs of prosecution, and it may be pointed out as one of the vagaries of justice that he was fined but \$100, whereas Broughton had been assessed \$500.

So it was that after serving a little less than two months of his sentence, Broughton was pardoned on May 18, 1900, to return to his friends in Atlanta.

THIS extraordinary mistake was due to the impregnable assurance of Recorder Broyles that Broughton must be the guilty letter writer. Before that apparent certainty, all improbabilities vanished. Corroboration by equally competent

“experts,” plus Broughton’s tarnished record, overcame any doubts the jury might have had. Only Mitchell’s urge to write letters saved Broughton from serving out his term. After the receipt of Mitchell’s letter, Recorder Broyles’s prowess as a handwriting expert stood him in better stead and he was enabled to catch the guilty man and thereby release the innocent.

BIBLIOGRAPHY

1. Indictment, plea, judgment, commitment, and transcript of the testimony from the records of the Clerk of the United States District Court, Atlanta, Ga., in the case of *United States v. William Broughton*, March, 1900.
2. Indictment, plea, judgment, commitment, and transcript of the testimony from the records of the Clerk of the United States District Court, Atlanta, Ga., in the case of *United States v. Charley Mitchell*, March, 1900.
3. *United States Attorney General’s Report, 1900*, p. 299.